

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADVANCEME, INC.

§

Civil Case No. 6:06-CV-082

VS.

§

§

Davis/Love

AMERIMERCHANT, LLC

§

§

**PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE
OPENING CLAIM CONSTRUCTION BRIEF IN EXCESS OF PAGE LIMIT**

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff, AdvanceMe, Inc., requests the Court for leave to file its Opening Claim Construction Brief in excess of the thirty page limit. AdvanceMe, Inc. requests that this Court allow it to exceed the thirty page limit by ten pages, excluding attachments. Plaintiff requests the additional pages because it has determined that the current length of the brief is necessary to best present its argument to the Court.

Therefore, AdvanceMe, Inc. respectfully requests that this Court grant it leave to file its Opening Claim Construction Brief in excess of the page limits previously set by this Court. Counsel for AdvanceMe, Inc. has conferred with Doug McSwane, counsel for Defendants. Defendants have agreed to this motion. An order reflecting same is attached for the Court's convenience.

Respectfully submitted,

/s/ Deborah Race

Otis Carroll

Texas State Bar No. 03895700

Deborah Race

Texas State Bar No. 16448700

IRELAND, CARROLL & KELLEY, P.C

6101 S. Broadway, Suite 500

Tyler, Texas 75703

Tel: (903) 561-1600

Fax: (903) 581-1071

Email: Fedserv@icklaw.com

Ronald S. Lemieux
(CA Bar No. 120822) (Admitted Pro Hac Vice)
Vidya R. Bhakar
(CA Bar No. 220210) (Admitted Pro Hac Vice)
Robert C. Matz
(CA Bar No. 217822) (Admitted Pro Hac Vice)
Five Palo Alto Square, Sixth Floor
Palo Alto, CA 94306-2155
Telephone: (650) 320-1800
Telecopier: (650) 320-1900
Email: ronlemieux@paulhastings.com

**ATTORNEYS FOR PLAINTIFF
ADVANCEME, INC.**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record or parties will be served by facsimile transmission and/or first class mail this 13th day of September, 2006.

/s/
Deborah Race